

16562 U.S. PTO  
022304

17302 U.S. PTO  
10/784489  
022304

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:	William Elkins		
Title:	Therapy Component of an Animate Body Heat Exchanger		
Atty Docket	COO-10-con		
Prior Appl. Ser. No.:	09/765,082	Art Unit:	3739

**Mail Stop Patent Application**  
**COMMISSIONER FOR PATENTS**  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

Sir:

This is a request for filing a ☒ continuation ☐ divisional application under 37 CFR § 1.53(b)(1) of pending prior application Serial No. 09/765,082 filed on Jan. 16, 2001.

Original Title: Therapy Component of an Animate Body Heat Exchanger and Method of Manufacturing such Component

"Express Mail" mailing label number

EP 271925061 US

Feb. 23, 2004

Date of Deposit

I hereby certify that this paper or fee is being deposited with the United States Postal Service as "Express Mail, Post Office to Addressee" under 37 CFR 1.10 on the date indicated above and is addressed to Mail Stop Patent Application, Commissioner for Patents, WP.O. Box 1450, Alexandria, Virginia 22313-1450.

*Michael B. Einschlag*

Michael B. Einschlag

Feb. 23, 2004

Date of Signature

1. ☒ **Filing Fee:** A check for the filing fee as calculated below is enclosed herewith.

Claims As Filed In the Prior Application After Entry Of the Accompanying Preliminary Amendment			Extra	Rate	Fee
Basic Fee					\$ 385.00
Total Claims	1	minus	20	=	* 9.00 \$ 0.00
Indep. Claims	1	minus	3	=	* 40.00 \$ 0.00
Multiple dependent. claim presented				+ 130.00	\$ 0.00
				TOTAL	\$ 385.00

2. **Declaration**

- a. ☐ Newly executed (original or copy)  
b. ☒ Copy from a prior application (37 C.F.R. § 1.63(d))

3. ☒ **Incorporation By Reference.** The entire disclosure of the prior application (ser. no. 09/765, 082) from which a copy of the declaration is supplied under Para. 2b, is considered to be part of the disclosure of the accompanying continuation application and is hereby incorporated by reference therein.

4. [ ☒ ] Specification having 10 pages is enclosed.
5. [ ☒ ] 5 sheets of Formal Drawings are enclosed.
6. [ ☐ ] Information Disclosure Statement is enclosed.
7. [ ☒ ] Application Data sheet enclosed
8. [ ☒ ] Statement under 37 CFR 3.73(b) which provides a Power of Attorney and Correspondence Address (same as below).
9. [ ☒ ] Small entity status. Applicant hereby claims Small Entity Status.

Respectfully submitted,

By: Michael B. Einschlag  
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**CERTIFICATE OF MAILING BY EXPRESS MAIL**

I hereby certify that this correspondence is being deposited in the United States Postal Service as Express Mail, Post Office to Addressee, in an envelope addressed to Mail Stop Patent Application, Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450 on February 23, 2004. The Express Mail mailing label number is EP 271925061.US

Date: February 23, 2004

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